

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

United States of America,	)	
	Plaintiff,	)
vs.	)	Case No. 04-6021-01-CR-SJ-FJG
Sean K. Owens,	)	
	Defendant.	)

**ORDER**

Pending before the Court is defendant's motion to exclude statement and physical evidence (Doc. #25), filed April 19, 2005, and the government's response in opposition (Doc. #32), filed April 27, 2005.

On June 13, 2005, United States Magistrate Judge Robert E. Larsen entered a report and recommendation (Doc. #40) which recommended denying the above-mentioned motion. No objections to the report and recommendation were filed.

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to exclude statement and physical evidence (Doc. #25) must be denied.

Accordingly, it is

ORDERED that the magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to exclude statement and physical evidence (Doc. #25), filed April 19, 2005, is denied.

/s/Fernando J. Gaitan, Jr.  
Judge Fernando J. Gaitan, Jr.  
United States District Judge

Dated: June 30, 2005  
Kansas City, Missouri